

## **REGULAR SESSION    RUSH COUNTY BOARD OF COMMISSIONERS    JULY 6, 2010**

The Rush County Board of Commissioners met in regular session, Monday, July 6th, 2010 with Commissioners, Tom Barnes, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance. Commissioner Marvin Cole was absent.

Commissioner Tom Barnes called the meeting to order, Ken Masters made the motion to approve the June 21<sup>st</sup> minutes following the name correction of Pam Leisure to be Pam Svaranowic of the. Tom Barnes seconded the motion. Motion carried.

### **DRAINAGE**

Scott Donoho and Joe Forsey residents of the Williamstown area along the Decatur county line appeared before the commissioners to discuss flooding and drainage problems with their properties.

Tom Barnes advised the men that their problem was a drainage issue. Barnes explained that if the drainage problem involved a Decatur and Rush county drain they would need to petition the surveyor. They would also need to file a complaint with the surveyor to discuss at an open drainage meeting.

### **UNCLAIMED PROPERTY**

James and Robert Spiker of Arlington approached the commissioners regarding a piece of property in Arlington. The .216 acre lot #10 does not have a deeded owner. James Spiker shared his and his fathers desire to acquire a Quiet title from the county to the property. County Attorney Leigh Morning explained that if the county has ownership of the property there would be no need for a Quiet title.

Spiker shared a parcel number that the surveyor provided that identified the property. Deborah Adams said she would have it researched as to a parcel number would give identification for the real estate and the assessment and collection of taxes. Adams questioned Spiker as to if the parcel number could be a drainage number.

Spiker also shared that he would like to use a portion of the site to build a garage. Bill Todd explained that Area Plan does allow variances for buildings. Discussion was held regarding drainage issues and to not allow fill dirt to further hamper the drainage.

After further discussion Ken Masters made the motion to take the matter under advisement for thirty (30) days or until the August 2<sup>nd</sup> Commissioners meeting. Tom Barnes seconded the motion. Motion carried. Tom Barnes will make a site visit.

### **HIGHWAY**

Jerry Sitton, Highway Superintendent, submitted IC #639 Final Inspection ARRA project on 800 E south of Glenwood. Ken Masters made the motion to approve the report. Tom Barnes seconded the motion. Motion carried.

Sitton submitted an INDOT contract for bridge #143 located on 725 West south of Homer over Mud Creek. The contract (Dez #0500096) is for \$1,288,000.00 Ken Masters made the motion to approve the contract. Tom Barnes seconded the motion. Motion carried. Sitton reported that September 9<sup>th</sup> is the letting date.

Sitton submitted the highway June monthly report and finished with reporting that the second span of the Moscow Covered Bridge has been set.

### **AREA PLAN PUBLIC HEARING**

The Commissioners held a public hearing at 9:30 am for petitioner, Ronnie D. Cameron, to consider the petition to rezone to residential. The property is currently zoned manufacturing. Bill Todd will personally visit the six property owners. Ken Masters made the motion to denying the request and to send it back to the Area Plan Commission with the recommendation to rezone all six (6) properties to commercial. Tom Barnes seconded the motion.

The commissioners held a public hearing at 9:40 am for Steven and Kathleen Brinker, Jerome and Dora Rudolph, and Daniel and Janice Wells. Discussion was held regarding a necessity of a special exception for animals on area zoned agricultural. A favorable recommendation was given by the Area Plan Commission due to the adjacent property being zoned Ag. The commissioners asked Bill Todd his opinion. Todd saw no problem with the situation due to one must have two (2) acres to have an animal on the property. Todd noted that no remonstrators had appeared or voiced any concerns.

Ken Masters noted that since there had been no remonstrators he would make the motion to approve the change from to agriculture from residential. Tom Barnes seconded the motion. Motion carried.

### **SHERIFF**

Jeff Sherwood, Sheriff, reported that the jail is currently housing fifty-two (52) inmates. Sixteen (16) are sentenced and thirty-six (36) are pre-sentenced inmates. Sherwood noted that twelve (12) inmates are female. Sherwood responded that high bonds, economy, and people essentially having no money were slowing down the Public Defender and the Prosecutor as to processing the inmates through the courts.

### **AUDITOR**

Deborah Adams, Auditor, received approval on payroll claims ending July 9<sup>th</sup> on a motion by Ken Masters, seconded by Tom Barnes. Motion carried.

Bi-weekly claims were approved on a motion by Ken Masters, seconded by Tom Barnes. Motion carried.

Adams reported that the State Board of Accounts have now completed with the 2009 county audit.

Adams did report that the Assessor has rolled the personal property and real estate assessed values and that her staff is now busy interfacing the values and balancing against the Assessors worksheets.

Adams had several questions regarding the auditor's office participation in the new employee health, dental and vision insurance.

### **CUM HOSPITAL**

Deborah Adams reported that the Department of Local Government Finance has informed her that according to I.C. 16-22-5-4 the county is only allowed to have a Cum Hospital rate for twelve (12) years. This will be effective in 2011. Adams noted that she had just received notification from her field representative. Adams did explain that according to the DLGF Rush County will not be penalized for going beyond the twelve (12) years as we are one of four counties in Indiana. This was an oversight of the DLGF.

### **EXECUTIVE SESSION**

Ken Masters made the motion to hold an executive session on July 13 at 7:30 a.m. Tom Barnes seconded the motion. Motion carried. The executive session will be a joint executive session with the county council. According to county attorney, Leigh Morning, it will fall under the exception of discussing litigation threatened in writing.

### **FIBER BOARD**

Tom Barnes reported that Hancock Telecommunications is leasing more strands of fiber and proceeded to updated future projects.

### **COURTHOUSE**

- Attic is full of bees and hopefully this has been resolved
- Sewer smell returned and will be smoke tested for the location
- Air conditioning problems in Judge Hill's office.

### **MISC**

- Currently waiting on the final documents from the survey on the conservation club.
- Reviewed run reports received from Raleigh Fire Dept and Anderson Twp Vol Fire

Motion to adjourn was received from Ken Masters. Tom Barnes seconded the motion.  
Motion carried.

/c/Tom Barnes  
Tom Barnes, Chairman

/c/Marvin Cole  
Marvin Cole

/c/Ken Masters  
Ken Masters

ATTEST:

/c/Deborah C. Adams  
Deborah C. Adams, Auditor